

**PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS**  
**JANUARY 20, 2021**

Pursuant to Section 19.85 and 59.094, Wis. Stats., notice is hereby given to the public that the regular meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** will be held **IN PERSON** on **Wednesday, January 20, 2021 at 7:00 p.m.**, at the **Resch Expo, 820 Armed Forces Dr., Green Bay, WI 54304.**

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance.

Supervisors	Dist. #	Vote	Supervisors	Dist. #	Vote	Supervisors	Dist. #	Vote		
Sieber	1	Aye	Vander Leest	10	Aye	Erickson	19	Aye	Aye	23
De Wane	2	Aye	Buckley	11	Aye	Coenen	20	Aye	Nay	0
Chu	3	Aye	Landwehr	12	Aye	Schultz	21	Aye	Abstain	0
Dorff	4	Aye	Dantinne, JR.	13	Aye	Peters	22	Excused	Excused	3
Jacobson	5	Aye	Brusky	14	Excused	Suennen	23	Aye	Total	23
Lefebvre	6	Excused	Murphy	15	Aye	Schadewald	24	Aye		
Friberg	7	Aye	Kaster	16	Aye	Lund	25	Aye		
Borchardt	8	Aye	Van Dyck	17	Aye	Deneys	26	Aye		
Evans	9	Aye	Hopkins	18	Aye					

**No. 1 -- ADOPTION OF AGENDA.**

A motion was made by Supervisor Kaster and seconded by Supervisor De Wane “**to approve agenda.**” Vote taken. Motion carried unanimously.

**No. 2 -- COMMENTS FROM THE PUBLIC:**

Casey Hicks – Registered lobbyist for the City of Green Bay, De Pere, WI spoke on amending language in Item #11b “Resolution Establishing the Brown County Energy Commission”.

Taku Ronsman, Green Bay, WI spoke on amending language in Item #11b “Resolution Establishing the Brown County Energy Commission”. *Please refer to attachment at the end of the minutes.*

**No. 3 -- APPROVAL OF MINUTES OF DECEMBER 16, 2020.**

A motion was made by Supervisor Vander Leest and seconded by Supervisor Borchardt “**to adopt minutes.**” Vote taken. Motion carried unanimously.

**No. 4 -- ANNOUNCEMENTS BY SUPERVISORS.**

Supervisor Borchardt invited the Board to attend a head count, which she explained would count the number of homeless individuals currently living on the streets. She stated the count will take place on January 27<sup>th</sup> and January 28<sup>th</sup> and to contact the Brown Counting Housing and Coalition for further details.

Supervisor Evans congratulated Supervisor Jacobson on winning the “2020 Mom Ambassador of the Year”.

Supervisor Van Dyck recognized the passing of Steve Corrigan, a successful business owner; whom was a former Ledgeview Town Chairman as well as president of the Brown County Fair Board. Memorial services will be held on January 22, 2021 in the afternoon.

Supervisor Kaster announced that the Bellevue Fire Department merged with the City of Green Bay. Supervisor Kaster thanked Chief Matzke of the De Pere Fire Department as well as Chief Litton of the Green Bay Fire Department and all staff.

Supervisor Schadewald stated that the Brown County Website now has information regarding the COVID-19 vaccine. He also announced that John Ryba, whom had previously served on County Board and State Assembly passed away.

Supervisor Sieber noted that the “Friends of the Eagle’s Nest” is now a recognized 501-3c organization and if anyone is interested in making a donation, to contact former Supervisor Bernie Erickson at 819-0271.

Supervisor Erickson stated in that in honor of Martin Luther King Day, the Lions Mouth Book Store was providing 10% off purchases for anyone that donated to the “We All Rise Library”.

**No. 5 -- PRESENTATION OF COMMUNICATIONS FOR CONSIDERATION**

**LATE COMMUNICATIONS:**

None.

**No. 6 -- APPOINTMENTS BY COUNTY BOARD CHAIR.**

None.

**No. 7 -- CONFIRMATION/APPOINTMENTS BY COUNTY EXECUTIVE.**

**No. 7a -- Reappointment of Stephanie School, Adam Butry, Todd Delain and Appointment of Christopher J. Lehner to the Local Emergency Planning Commission (LEPC).**

A motion was made by Supervisor De Wane and seconded by Supervisor Dantine “**to approve the above reappointments.**” Motion carried unanimously with no abstentions.

**No. 7b -- Reappointment of Alex Renard and Appointment of Todd Bartles to the Neville Public Museum Governing Board.**

A motion was made by Supervisor Borchardt and seconded by Supervisor Sieber **“to approve the above reappointments.”** Motion carried unanimously with no abstentions.

**No. 7c -- Appointment of Michael Poradek to the Nicolet Federated Library Board.**

A motion was made by Supervisor Van Dyck and seconded by Supervisor Hopkins **“to approve the above appointment.”** Motion carried unanimously with no abstentions.

**No. 8a -- REPORT BY BOARD CHAIRMAN.**

Chairman Buckley spoke on the new Resch Expo stating that it was a magnificent facility and congratulated the Board that took part in the half percent sales tax.

Chairman Buckley thanked Director Weininger and Corporation Counsel for the hybrid version of the meeting. He stated this version is just a test to see how well it would work and to monitor for the night.

Chairman Buckley stated that vaccines are rolling out and decisions will be made about remaining in person versus virtual attendance board meetings.

**No. 8b -- REPORT BY COUNTY EXECUTIVE.**

Executive Streckenbach spoke regarding the Resch Expo, stating that it was a competitive, visual and functional building with a “wow” factor and an asset to the community. He stated that there has been one section closed off to the public so that it may be viewed by veterans when deemed safe to help Bob Reeners recognize his vision of what the Resch Expo represents.

Executive Streckenbach stated that UWGB announced they can scale up to 20,000 COVID-19 vaccines per week. Bellin can scale approximately 10,000 vaccines per week as well as Aurora and Prevea with individual numbers. The state of Wisconsin is set to see approximately 70,000 vaccines at this time and Executive Streckenbach encouraged all of those that are eligible to be vaccinated for COVID-19. Executive Streckenbach also noted that the ADRC encourages those to go out and get the flu shot as well.

Executive Streckenbach stated that the budget passed for 2020 was record breaking, and that the Brown County debt has been the lowest it has seen in the last thirty years.

Executive Streckenbach recognized the passing of Mr. Corrigan, whom was largely interactive with the Brown County Fair and Red Lewis, whom was a generous individual and a large benefactor to the NEW Zoo.

Executive Streckenbach stated that there are currently 4100 people that took the survey regarding broadband testing in Brown County, and that they are looking for approximately 900 more people to take the survey to have accurate facts to make a case on the state and federal levels.

Executive Streckenbach congratulated Supervisor Erickson on her receiving the *2021 Future 15, Young Professionals Award*.

Executive Streckenbach stated that there are ribbons available after the meeting for those who would like one from the ribbon cutting event that took place at the Resch Expo earlier that day.

**No. 9 --        OTHER REPORTS.**

None.

**No. 10 --        Standing Committee Reports**

**No. 10a --       REPORT OF ADMINISTRATION COMMITTEE OF JANUARY 7, 2021.**

1. Review minutes of: None.
2. Budget Adjustment Request (20-092): Any increase in expenses with an offsetting increase in revenue. Receive and place on file.
3. Legal Bills - Review and Possible Action on Legal Bills to be paid. To approve.
4. County Clerk - Budget Status Financial Report for November 2020 – Unaudited. Receive and place on file.
5. County Clerk - Budget Adjustment Request (20-091): Any increase in expenses with an offsetting increase in revenue. To approve.
6. County Clerk - Review Positions in the County Clerk’s Office. To hold until the March meeting.
7. Clerk’s Report. Receive and place on file.
8. Child Support - Budget Status Financial Report for November 2020 – Unaudited. Receive and place on file.
9. Child Support - Director’s Report. Receive and place on file.
10. Technology Services - Budget Status Financial Report for November 2020 – Unaudited. Receive and place on file.
11. Technology Services - Director’s Report. Receive and place on file.
12. Treasurer - Review of Treasurer’s Dept. Budget Performance Report for November 2020 - Unaudited.  
Treasurer’s comment on November 2020 BPR:  
As of 11-30-2020 the Treasurer’s Budget shows a Budget Deficit of \$ 75,524.42 as we approach year-end 2020.  
As of 11-30-2019 the Treasurer’s Budget showed a Budget Surplus of \$ 1,017,037.26. Receive and place on file.
13. Treasurer - Discussion re: 2020 TAX RATE DETAIL Report. No action taken.
14. Treasurer - Discussion re: WI DOR “Allowable vs. Actual Debt By Municipality” Report (Brown County). No action taken.
15. Treasurer - Discussion re: 2020 Brown County Foreclosure Case No. 2020CV001049. No action taken.
16. Treasurer - Discussion and Possible Action re: 2021 Brown County Resolution of Depositories. To direct staff to prepare a 2021 Brown County resolution for a Special Administration Committee meeting for Wednesday, January 20, 2021.
17. Treasurer’s Report. Receive and place on file.
18. Admin & HR - Budget Adjustment Log. Receive and place on file.
19. Admin & HR - Director’s Reports. Receive and place on file.
20. Corporation Counsel - Oral Report. Receive and place on file.
21. Audit of bills. To acknowledge receipt of the bills.

A motion was made by Supervisor Schadewald and seconded by Supervisor Hopkins “**to adopt.**” Vote taken. Motion carried unanimously with no abstentions.

**No. 10ai -- REPORT OF SPECIAL ADMINISTRATION COMMITTEE OF JANUARY 20, 2021.**

1. Discussion and Possible action regarding nomination and confirmation of members and officers of the newly created Ad Hoc Rural Broadband Subcommittee.
2. Resolution Designating County Depositories for the Deposit of County Funds, as Required by Wisconsin Statutes Section 59.61(2)(A). *See Resolutions & Ordinances.*

A motion was made by Supervisor Schadewald and seconded by Supervisor Murphy “**to adopt.**” Vote taken. Motion carried unanimously with no abstentions.

**No. 10b -- REPORT OF EXECUTIVE COMMITTEE OF JANUARY 6, 2021.**

1. Review Minutes of: None.
2. Communication from Supervisor Deneys re: Amend Chapter 2 of the Brown County Ordinances to require that if a Chair of the County Board or Committee elects to have a meeting and allows for public comments via US postal service mail or email for said meeting, that said public comments received through these methods shall be read into the record by the Chair during the public comments section of the meeting. To hold until subsequent Executive Committee meeting.
3. Communication from Supervisor Lefebvre: Please review and advise on the resolution from Health and Human Services Committee – “Racism as Health Issue”. *Items 3 & 4 were taken together; see action at Item 4.*
4. Communication from Supervisor Lefebvre re: I am asking the Human Service/County Board adopt the following NACO resolution the Executive Committee passed, urging the Federal Government to - Declare Racism a National Public Health Crisis -
  - 1- Assert that racism is a public health crisis affecting our entire country.
  - 2- Leverage a racial equity lens in evaluating federal policy.
  - 3- Develop relevant policies aimed at improving health and economic opportunity in communities of color and;
  - 4- Support local, state and federal initiatives that advance social justice. *Action at November Human Services:*
    - i. To approve the Resolution “Racism is a Public Health Crisis” provided by Supervisor Chu and forward to the County Board. *No vote taken.*
    - ii. To modify the resolution to strike current points 2 – 6 and add new point number 2. Create a subcommittee/work group, inclusive of community advocates, to identify ways Brown County government can address racism in its work.
    - iii. To approve as amended.  
To hold until subsequent Executive Committee meeting.
5. Communication from Supervisor Lefebvre: Request that during the continued time of the COVID-19 pandemic that all future county board and committee meetings be virtual until advised by the Brown County Health Officer along with local health experts that in-person meetings can safely resume. *Items 5 & 6 were taken together; see action at Item 6.*
6. Communication from Supervisor Lefebvre: Request for those who cannot attend in-person meetings because of the COVID-19 pandemic be allowed to legally and binding, vote by phone. To request that staff and County Board Chair work to select a venue and the necessary technology to accommodate combination in-person and virtual meetings through the June 2021 County Board meeting.

7. Internal Auditor - Budget Status Financial Reports – Board of Supervisors & Veterans' Recognition Subcommittee for November 2020 – Unaudited. Receive and place on file.
8. Internal Auditor - 2020 Audit and Work Plan (Status Update: December 31, 2020). Receive and place on file.
9. Discussion and possible action on changes to Chapter 2 of the Brown County Code of Ordinances. Hold until next Executive Committee meeting.
10. Audit of the bills. To acknowledge receipt of the bills.

A motion was made by Vice Chair Sieber and seconded by Supervisor Deneys **“to adopt.”**  
Vote taken. Motion carried unanimously with no abstentions.

**No. 10c -- REPORT OF PUBLIC SAFETY COMMITTEE OF JANUARY 5, 2021**

1. Review Minutes of:  
Criminal Justice Coordinating Board (October 13, 2020). Receive and place on file.
2. Public Safety Communications - Budget Status Financial Report for November 2020 (unaudited). Receive and place on file.
3. Public Safety Communications - Director's Report.
  - a) COVID-19 Update – *Standing Item*. Receive and place on file.
4. Emergency Mgmt. - Budget Status Financial Report for November 2020 (unaudited). Receive and place on file.
5. Emergency Mgmt. - Budget Status Financial Report for November 2020 – Including Disaster Management Account – COVID/Flooding. Receive and place on file.
6. Emergency Mgmt. - Director's Report.
  - a. COVID-19 Update – *Standing Item*. Receive and place on file.
7. District Attorney Report.
  - a) COVID-19 Update – *Standing Item*. Receive and place on file.
8. Circuit Courts, Commissioners, Probate - Budget Status Financial Report for November 2020 (unaudited). To suspend the rules to take Items 8 & 9 together.
9. Circuit Courts, Commissioners, Probate - Director's Report.
  - a) COVID-19 Update – *Standing Item*. Receive and place on file Items 8 & 9.
10. Clerk of Courts Report.
  - a) COVID-19 Update – *Standing Item*. Receive and place on file.
11. Medical Examiner's Report.
  - a) COVID-19 Update – *Standing Item*. *No report; no action taken.*
12. Sheriff - Update re: Jail Addition – *Standing Item*. *Standing item, no action taken.*
13. Sheriff - Budget Status Financial Report for November 2020 (unaudited). Receive and place on file.
14. Sheriff - Key Factor Report for November 2020. Receive and place on file.
15. Sheriff's Report.
  - a) COVID-19 Update – *Standing Item*. Receive and place on file.
16. Audit of bills. To pay the bills.

A motion was made by Supervisor De Wane and seconded by Supervisor Schultz **“to adopt.”**  
Vote taken. Motion carried unanimously with no abstentions.

**No. 10d -- NO REPORT OF PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE.**

**No. 10di -- NO REPORT OF LAND CONSERVATION SUBCOMMITTEE.**

No. 10e -- **NO REPORT OF EDUCATION & RECREATION COMMITTEE.**

No. 10f -- **NO REPORT OF HUMAN SERVICES COMMITTEE.**

No. 11 -- **Resolutions, Ordinances:**

**Budget Adjustments Requiring County Board Approval**

No. 11a -- **RESOLUTION APPROVING BUDGET ADJUSTMENTS TO VARIOUS DEPARTMENT BUDGETS**

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the below listed departments have submitted the following adjustments to their departmental budgets that, per Wisconsin State Statutes, require approval by a 2/3 vote of the full County Board:

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20-091 CLERK	The Brown County Clerk's Office applied for and was approved for a grant, up to \$10,000, for COVID related election expenses through the CARES Act. In order to obtain the funds, a grant request and certification report were submitted to the Wisconsin Elections Commission on November 19, 2020 outlining what expenses were incurred and being requested reimbursement for. Allowable expenses needed to be a result from COVID-19's impact on the 2020 election cycle and needed to fall under the following categories: Ballot costs, Cleaning & PPE, Staffing, Communications, Space leasing, and Equipment.
<b>Fiscal Impact: \$10,000</b>	

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and,

WHEREAS, these budget adjustments are necessary to ensure activities are appropriated and accounted for properly.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors hereby approves the above listed budget adjustments.

Respectfully submitted,

ADMINISTRATION COMMITTEE

Approved By: /s/ Troy Streckenbach Date: 01/21/2021

21-003R

Authored by Administration

Approved by Corporation Counsel's Office

*Fiscal Note: The fiscal impact is as described in the individual budget adjustments listed above.*

A motion was made by Supervisor Landwehr and seconded by Supervisor Sieber “**to approve.**” Vote taken. Motion carried unanimously with no abstentions.

# ATTACHMENT TO RESOLUTION #11A

20-091

## BUDGET ADJUSTMENT REQUEST

### Category

### Approval Level

- |                                       |  |   |
|---------------------------------------|--|---|
| <input type="checkbox"/> 1            | Reallocation from one account to another in the same level of appropriation  | Dept Head   |
| <input type="checkbox"/> 2            | Reallocation due to a technical correction that could include: <ul style="list-style-type: none"> <li>• Reallocation to another account strictly for tracking or accounting purposes</li> <li>• Allocation of budgeted prior year grant not completed in the prior year</li> </ul> | Director of Admin                                     |
| <input type="checkbox"/> 3            | Any change in any item within the Outlay account which does not require the reallocation of funds from another level of appropriation  | County Exec   |
| <input type="checkbox"/> 4            | Any change in appropriation from an official action taken by the County Board (i.e., resolution, ordinance change, etc.)   | County Exec   |
| <input type="checkbox"/> 5            | a) Reallocation of <u>up to 10%</u> of the originally appropriated funds between any levels of appropriation (based on lesser of originally appropriated amounts).   | Admin Comm  |
| <input type="checkbox"/> 5            | b) Reallocation of <u>more than 10%</u> of the funds originally appropriated between any of the levels of appropriation.   | Oversight Comm<br>2/3 County Board                    |
| <input type="checkbox"/> 6            | Reallocation between two or more departments, regardless of amount   | Oversight Comm<br>2/3 County Board                    |
| <input checked="" type="checkbox"/> 7 | Any increase in expenses with an offsetting increase in revenue  | Oversight Comm<br>2/3 County Board <i>OW</i>          |
| <input type="checkbox"/> 8            | Any allocation from a department's fund balance  | Oversight Comm<br>2/3 County Board                    |
| 9                                     | Any allocation from the County's General Fund ( <i>requires separate Resolution</i> )<br><i>After County Board approval of the resolution, a Category 4 budget adjustment must be prepared.</i>  | Oversight Comm<br>Admin Committee<br>2/3 County Board |

### Justification for Budget Change:

The Brown County Clerk's Office applied for and was approved for a grant, up to \$10,000, for COVID related election expenses through the CARES Act. In order to obtain the funds, a grant request and certification report were submitted to the Wisconsin Elections Commission on November 19, 2020 outlining what expenses were incurred and being requested reimbursement for. Allowable expenses needed to be a result from COVID-19's impact on the 2020 election cycle and needed to fall under the following categories: Ballot costs, Cleaning & PPE, Staffing, Communications, Space leasing, and Equipment.

Fiscal Impact\*: 10,000

\*Enter \$0 if reclassifying previously budgeted funds. Enter actual dollar amount if new revenue or expense.

Increase	Decrease	Account #	Account Title	Amount
<input checked="" type="checkbox"/>	<input type="checkbox"/>	100.019.014.4302	State Grant and Aid Revenue	10,000
<input checked="" type="checkbox"/>	<input type="checkbox"/>	100.019.014.5304.100	Printing Forms	3,421
<input checked="" type="checkbox"/>	<input type="checkbox"/>	100.019.014.5300.001	Supplies Office	2,293
<input checked="" type="checkbox"/>	<input type="checkbox"/>	100.019.014.5601.400	Intra-county expense Copy Center	4,286

*Sandy Juro*

Sandy Juro (Dec 16, 2020 10:27 CST)

Signature of Department Head

Department: County Clerk

Date: 12/16/2020

### AUTHORIZATIONS

*Troy Streckenbach*

Troy Streckenbach (Dec 16, 2020 10:58 CST)

Signature of DOA or Executive

Date: Dec 16, 2020

Revised 12/17/19

11a



## Planning, Development & Transportation Committee

### No. 11b -- RESOLUTION ESTABLISHING THE BROWN COUNTY ENERGY COMMISSION.

A motion was made by Supervisor Suennen and seconded by Supervisor Landwehr “**to adopt.**”

A motion was made by Supervisor Suennen and seconded by Supervisor Friberg “**to amend the Resolution Establishing the Brown County Energy commission by:**

- 1) Page 2, Whereas #2 – delete “natural gas”.
- 2) Replace the word “commission” with “sub-committee” throughout the document.
- 3) In the “Now Therefore, Be It Resolved, the first sentence add “of the Planning Development & Transportation Committee.” After (7) member energy commission.
- 4) Same part as #3, line 6 – change County Executive to “Planning, Development & Committee Chair.”
- 5) Same part as #3 – 3<sup>rd</sup> from the bottom, change “County Board of Supervisor” to “Planning, Development & Transportation Committee.”

The board spoke of changes and concerns they had with the current resolution. Supervisor Van Dyck submitted additional mapping information for the record. *Please see the end of minutes for attachments.*

A motion was made by Supervisor Kaster and seconded by Supervisor Hopkins “**to refer back to Executive Committee.**”

Roll call vote taken on referral:

Supervisors	Dist. #	Vote	Supervisors	Dist. #	Vote	Supervisors	Dist. #	Vote		
Sieber	1	Aye	Vander Leest	10	Aye	Erickson	19	Aye	Aye	22
De Wane	2	Aye	Buckley	11	Aye	Coenen	20	Aye	Nay	1
Chu	3	Aye	Landwehr	12	Aye	Schultz	21	Aye	Abstain	0
Dorff	4	Aye	Dantinne, JR.	13	Aye	Peters	22	Excused	Excused	3
Jacobson	5	Aye	Brusky	14	Excused	Suennen	23	Aye	Total	23
Lefebvre	6	Excused	Murphy	15	Aye	Schadewald	24	Aye		
Friberg	7	Aye	Kaster	16	Aye	Lund	25	Nay		
Borchardt	8	Aye	Van Dyck	17	Aye	Deneys	26	Aye		
Evans	9	Aye	Hopkins	18	Aye					

Motion carried.

A motion was made by Supervisor Suennen and seconded by Supervisor Friberg “**to withdraw his previous motion regarding Item #11b.**”

(The motion was not accepted due to the previous disposition of the resolution).

**Special Administration Committee**

No. 11c -- **RESOLUTION DESIGNATING COUNTY DEPOSITORIES FOR THE DEPOSIT OF COUNTY FUNDS, AS REQUIRED BY WISCONSIN STATUTES SECTION 59.61(2)(A).**

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**WHEREAS**, Wisconsin Statutes Section 59.61(2)(a) directs that, in counties with a population in excess of 200,000 individuals, the County Board shall designate two or more depositories as approved depositories for the deposit of county funds; and

**WHEREAS**, the Brown County Treasurer recommends that the County Board designate the following *List of Approved Depositories* for said purpose:

<b><u>Financial Institution</u></b>	<b><u>Location</u></b>
Associated Bank	Various;
US Bank, N.A. and US Bank Milwaukee	Various;
North Shore Bank	Various;
Community First Credit Union	Various;
Greenleaf Bank	Greenleaf and Wrightstown; and
State of WI DOA Local Govt Investment Pool	Madison.

**NOW THEREFORE BE IT RESOLVED**, that the Brown County Board of Supervisors hereby designates the entities on the above *List of Approved Depositories* as approved depositories for the deposit of county funds.

*Fiscal Note: This resolution does not require an appropriation from the General Fund, as it only identifies which depositories may be used by the county.*

Respectfully submitted,  
SPECIAL ADMINISTRATION COMMITTEE

Approved By: /s/ Troy Streckenbach Date: 01/21/2021

21-005R  
Authored by: County Treasurer  
Approved by: Corporation Counsel

A motion was made by Supervisor Schadewald and seconded by Supervisor Dantine “**to adopt.**” Vote taken. Motion carried unanimously with no abstentions.

## ATTACHMENT TO RESOLUTION #11C

CORPORATION COUNSEL

*Brown County*

305 EAST WALNUT STREET  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600



David P. Hemery  
Corporation Counsel

PHONE: (920) 448-4006  
FAX: (920) 448-4003  
EMAIL: [David.Hemery@co.brown.wi.us](mailto:David.Hemery@co.brown.wi.us)

### RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 01-14-2021  
REQUEST TO: **SPECIAL** ADMINISTRATION COMMITTEE, AND CO BD  
MEETING DATE: 01-20-2021, AND 01-20-2021  
REQUEST FROM: Dave Hemery, as directed by Admin Comm  
Corp Counsel  
REQUEST TYPE: ☒ New resolution ☐ Revision to resolution  
☐ New ordinance ☐ Revision to ordinance

TITLE: **RESOLUTION DESIGNATING COUNTY DEPOSITORIES FOR THE DEPOSIT OF  
COUNTY FUNDS, AS REQUIRED BY WISCONSIN STATUTES SECTION 59.61(2)(A)**

### ISSUE/BACKGROUND INFORMATION:

Required by State Statute

### ACTION REQUESTED:

Consideration and Approval

### FISCAL IMPACT:

**NOTE:** This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact? \$0
  2. Is it currently budgeted? ☐ Yes ☐ No ☒ N/A (if \$0 fiscal impact)
    - a. If yes, in which account? \_\_\_\_\_
    - b. If no, how will the impact be funded? \_\_\_\_\_
    - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
  3. Please provide supporting documentation of fiscal impact determination.
- ☒ **COPY OF RESOLUTION OR ORDINANCE IS ATTACHED**

11c

**Committee of the Whole**

**No. 12a -- RESOLUTION ADOPTING THE BROWN COUNTY ALL HAZARDS  
MITIGATION PLAN UPDATE.**

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**WHEREAS**, Brown County recognizes the threat that natural hazards pose to people and property and that undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

**WHEREAS**, an adopted all hazards mitigation plan is required as a condition of future grant funding for mitigation projects; and

**WHEREAS**, Brown County developed and adopted an All Hazard Mitigation Plan in 2012 that sought to protect people and property from natural hazards. Brown County has a variety of natural hazards that pose a threat to both people and property. The impacts of the natural hazards can be largely mitigated through developing and implementing strategies designed to protect lives and property; and

**WHEREAS**, Brown County staff began an update to the 2012 All Hazard Mitigation Plan in January of 2019. The update required coordination with the Brown County Emergency Management Department, the All Hazard Mitigation Plan Steering Committee, Federal Emergency Management Agency (FEMA), Environmental Protection Agency (EPA), Wisconsin Emergency Management and local units of government to evaluate the county's potential exposure and possible mitigation strategies for each identified natural hazard; and

**WHEREAS**, the adoption of this plan makes mitigation projects eligible for a variety of grant funding to assist the responsible entities with implementation.

**NOW, THEREFORE BE IT RESOLVED**, that the Brown County Board of Supervisors hereby adopts the updated Brown County All Hazard Mitigation Plan; and

**BE IT FURTHER RESOLVED**, that the Brown County Emergency Management Department shall submit the adopted plan to Wisconsin Emergency Management and Federal Emergency Management Agency officials for final review and approval, as required under the Hazard Mitigation Grant Program.

*Fiscal Note: This resolution does not require an appropriation from the General Fund.*

Respectfully submitted,  
COMMITTEE OF THE WHOLE

Approved By: /s/ Troy Streckenbach Date: 01/21/2021

21-001R  
Authored by: Planning & Land Services

Approved by: Corporation Counsel

A motion was made by Supervisor De Wane and seconded by Supervisor Jacobson “to adopt.” Vote taken. Motion carried unanimously with no abstentions

Please refer to the link below for all attachments pertaining to Item #12a:

<https://www.browncountywi.gov/departments/planning-and-land-services/planning/brown-county-plans/>

## **ATTACHMENT TO RESOLUTION #12A**

PLANNING COMMISSION

*Brown County*

305 E. WALNUT STREET, ROOM 320  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600  
PHONE (920) 448-6480 FAX (920) 448-4487  
WEBSITE: [www.browncountywi.gov/planning](http://www.browncountywi.gov/planning)



**COLE RUNGE**  
PLANNING DIRECTOR

### **RESOLUTION/ORDINANCE SUBMISSION TO PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE**

**DATE:** December 14, 2020  
**REQUEST TO:** County Board – COMMITTEE OF THE WHOLE  
**MEETING DATE:** 1/20/2020  
**REQUEST FROM:** Dan Teaters  
Planning and Land Services Department  
**REQUEST TYPE:** ☒ New resolution ☐ Revision to resolution  
☐ New ordinance ☐ Revision to ordinance  
**TITLE:** RESOLUTION ADOPTING THE BROWN COUNTY ALL HAZARDS MITIGATION PLAN UPDATE

#### **ISSUE/BACKGROUND INFORMATION:**

Brown County developed and adopted an All Hazard Mitigation Plan in 2012 that sought to protect people and property from natural hazards. Brown County has a variety of natural hazards that pose a threat to both people and property. These impacts of the natural hazards can be largely mitigated through developing and implementing strategies designed to protect lives and property.

Brown County staff began an update to the 2012 All Hazard Mitigation Plan in January of 2019. The update required coordination with the Brown County Emergency Management Department, the All Hazard Mitigation Plan Steering Committee, Federal Emergency Management Agency (FEMA), Environmental Protection Agency (EPA), Wisconsin Emergency Management, and local units of government to evaluate the county's potential exposure and possible mitigation strategies for each identified natural hazard.

The adoption of this plan makes mitigation projects eligible for a variety of grant funding to assist the responsible entities with implementation.

#### **ACTION REQUESTED:**

Consideration and approval.

#### **FISCAL IMPACT:**

**NOTE:** This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. Is there a fiscal impact? ☐ Yes ☒ No
  - a. If yes, what is the amount of the impact?
  - b. If part of a bigger project, what is the total amount of the project?
  - c. Is it currently budgeted? ☒ Yes ☐ No
    1. If yes, in which account?
    2. If no, how will the impact be funded? N/A

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED

12a

**No. 12b -- RESOLUTION APPROVING WISCONSIN ECONOMIC DEVELOPMENT CORPORATION (WEDC) GRANT APPLICATION FOR IDLE SITES.**

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**WHEREAS**, Brown County has the ability to expand the Port of Green Bay (the Port) by purchasing a portion of the decommissioned Pulliam Power Plant site owned by Wisconsin Public Service (WPS); and

**WHEREAS**, Brown County has set aside non-property tax dollars to purchase land to expand the port; and

**WHEREAS**, Brown County is eligible to receive up to \$500,000 from WEDC through their Idle Sites Grant Program to purchase a portion of the WPS property for Port expansion; and

**WHEREAS**, WEDC requires County Board approval in order to apply for said grant.

**NOW, THEREFORE, BE IT RESOLVED**, that the Brown County Board of Supervisors hereby directs County Administration, Officers and Agents to take any and all actions necessary to apply for a grant through the WEDC Idle Sites Grant Program in order to purchase land as described above for Port expansion purposes.

*Fiscal Note: This resolution does not require an appropriation from the General Fund. The resolution directs administration to apply for the grant.*

Respectfully submitted,  
COMMITTEE OF THE WHOLE

Approved By: /s/ Troy Streckenbach Date: 01/21/2021

21-004R

Authored by: Department of Administration

Approved by: Corporation Counsel

A motion was made by Supervisor Borchardt and seconded by Supervisor Landwehr **“to adopt.”** Vote taken. Motion carried unanimously with no abstentions

**No. 13 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW.**

None.

**No. 14 -- BILLS OVER \$5,000 FOR PERIOD ENDING DECEMBER 31, 2020.**

A motion was made by Supervisor De Wane and seconded by Supervisor Borchardt **“to pay the bills for the period ending December 31, 2020.”** Vote taken. Motion carried unanimously.

**No. 15 -- CLOSING ROLL CALL**

Supervisors	Dist. #	Vote	Supervisors	Dist. #	Vote	Supervisors	Dist. #	Vote	Aye	
Sieber	1	Aye	Vander Leest	10	Aye	Erickson	19	Aye	Nay	0
De Wane	2	Aye	Buckley	11	Aye	Coenen	20	Aye	Abstain	0
Chu	3	Aye	Landwehr	12	Aye	Schultz	21	Aye	Excused	3
Dorff	4	Aye	Dantinne, JR.	13	Aye	Peters	22	Excused		
Jacobson	5	Aye	Brusky	14	Excused	Suennen	23	Aye	Total	23
Lefebvre	6	Excused	Murphy	15	Aye	Schadewald	24	Aye		
Friberg	7	Aye	Kaster	16	Aye	Lund	25	Aye		
Borchardt	8	Aye	Van Dyck	17	Aye	Deney	26	Aye		
Evans	9	Aye	Hopkins	18	Aye					

**No. 16 -- ADJOURNMENT TO WEDNESDAY, FEBRUARY 17, 2021 AT 7:00 P.M. AT THE RESCH EXPO.**

A motion was made by Supervisor De Wane and seconded by Supervisor Borchardt “**to adjourn to the above date and time.**” Vote taken. Motion carried unanimously.

Meeting Adjourned at 8:40pm

/s/ Patrick W. Moynihan, Jr.  
PATRICK W. MOYNIHAN, JR.  
Brown County Clerk



## **Comments from the Public Item #2b**

To: Brown County Board of Supervisors,  
cc: Brown County Planning, Development & Transportation Committee,  
County Executive, Troy Streckenbach

From: Ms Taku Clemente Ronsman, 1688 Beaver Dam Dr, Green Bay WI 54304-2002

January 20, 2021

### **REQUEST/RECOMMENDATION FOR CHANGES REGARDING: RESOLUTION ESTABLISHING THE BROWN COUNTY ENERGY COMMISSION**

I am pleased the Brown County Planning, Development, & Transportation Committee intends to establish a Brown County Energy Commission. I wholeheartedly support your idea of proactively managing energy challenges through "thoughtful planning and enactment of policies".

I reviewed the seventeen (17) **WHEREAS** statements and they look good to me, **except for 3 statements** that include wording that seems to be somewhat inaccurate and counterproductive.

**Current Statement:** "WHEREAS, other forms of Clean Energy include nuclear energy, natural gas, and potentially others"

**\*Recommended Changes:** Remove "natural gas" from the clean energy list. It is a fossil fuel, which although less dirty than oil, petroleum, and coal; is not considered to be a form of clean energy. According to The U.S. Department of Energy, the Clean energy list includes solar, wind, water, geothermal, bioenergy & nuclear; so, include all six (6) on the list.

**\*Amended Statement:** "WHEREAS, other forms of Clean Energy include nuclear energy, solar, wind, water, geothermal, bioenergy, and potentially others"

Source: <https://www.energy.gov/science-innovation/clean-energy>

**Current Statement:** "WHEREAS, Dirty Energy includes fossil fuels such as oil, petroleum and coal"

**\*Recommended Change:** Add gas (aka natural gas) to the list to be more accurate.



REQUEST/RECOMMENDATION FOR CHANGES REGARDING:  
RESOLUTION ESTABLISHING THE  
BROWN COUNTY ENERGY COMMISSION  
(Continued from p.1)

**\*Amended Statement:** "WHEREAS, Dirty Energy includes fossil fuels such as oil, petroleum, coal, and natural gas"

Source: Natural Resources Defense Council - <https://www.nrdc.org/issues/dirty-energy>

**Current Statement:** "WHEREAS, the County is discouraging the siting of wind energy generation facilities within the County"

**\* Recommended Change:** Delete that entire statement. Wind energy generation is a proven form of clean renewable energy and should NOT be discouraged.

Part of increasing wind and solar power is "making sure that the power plants and the transmission grid needed to support them are designed and sited carefully to minimize the impacts on wildlife" which NRDC works to mitigate. It is prudent for Brown County to utilize best known practices.

Source: <https://www.nrdc.org/sites/default/files/american-wind-farms-IP.pdf>

Source: <https://www.nrdc.org/issues/increase-renewable-energy>

WI state statute and rules from the Public Service Commission (PSC) provide for public input regarding the planning and development of wind generation facilities.

Source: <https://docs.legis.wisconsin.gov/document/administrativecode/PSC%20128.30>

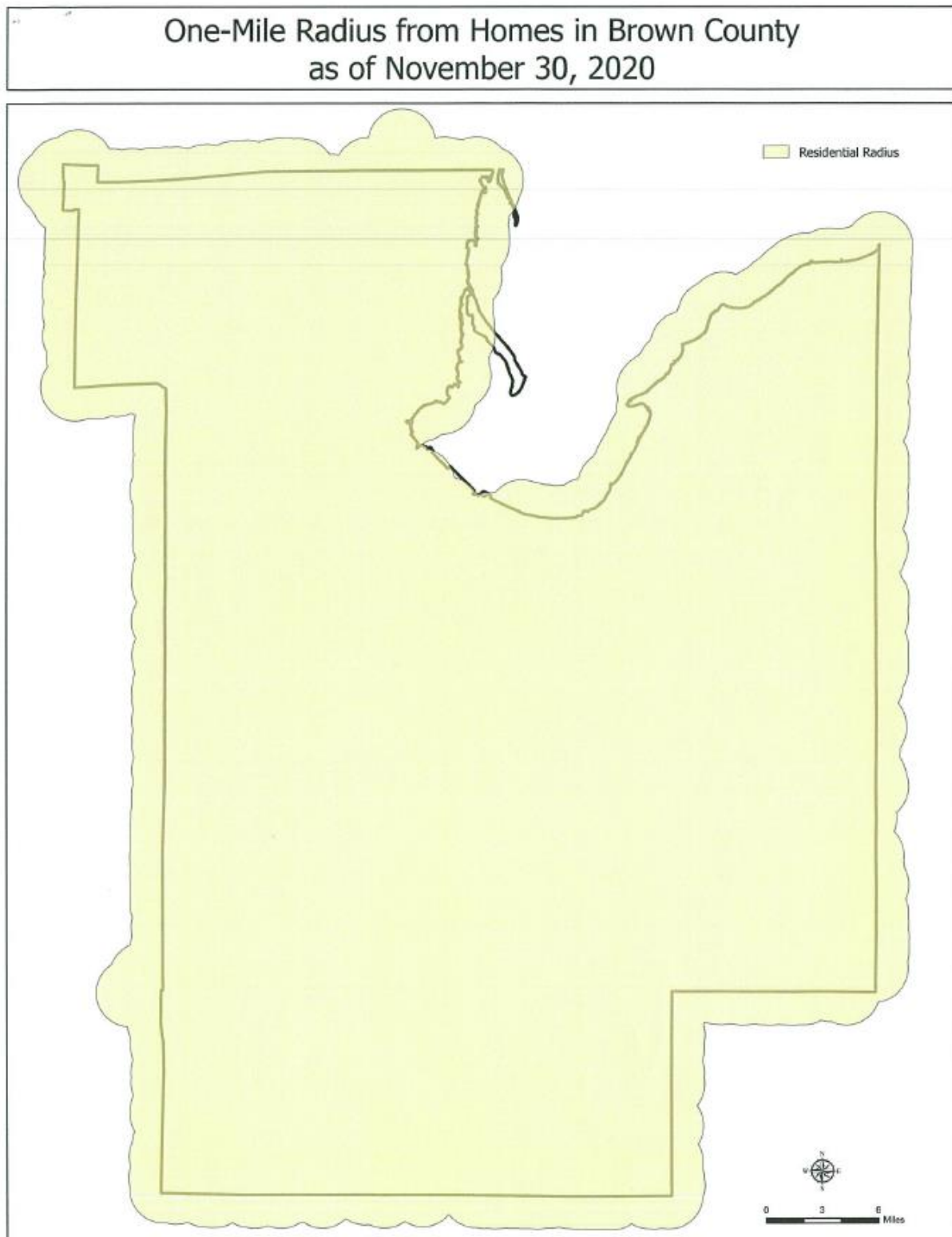
Source: <https://www.nrdc.org/issues/increase-renewable-energy>

**\*Conclusion:** Please amend the 3 **WHEREAS** statements as requested, so Brown County can stand out as a leader among the counties statewide, committing to doing their part to implement successful, sustainable solutions to environmental pollution!

Sincerely, *Taku C. Rosman*

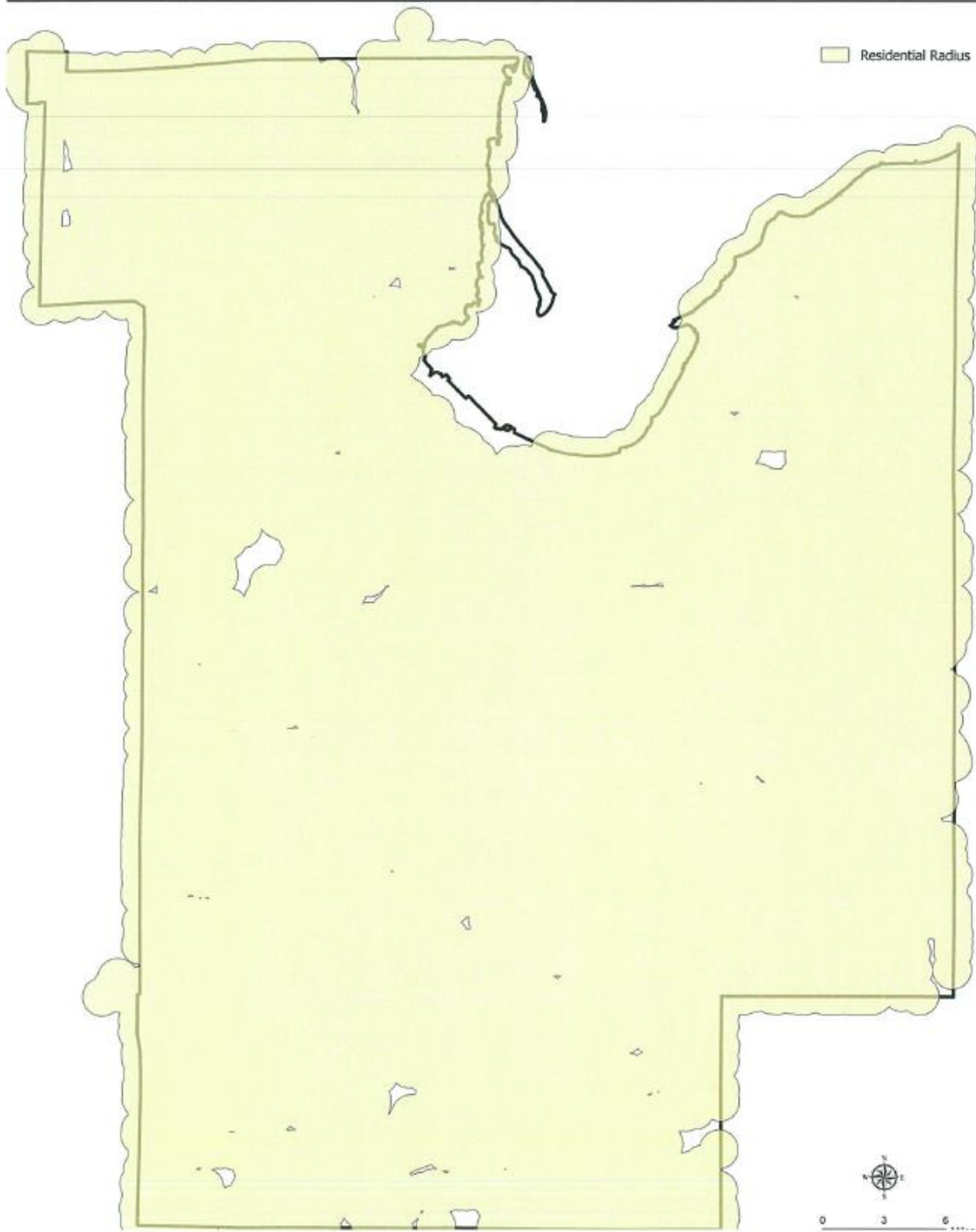
Jan 18, 2021,  
Revised Jan 20, 2021  
Page 2 of 2

**Attachments for Item #11b submitted by Supervisor Van Dyck**

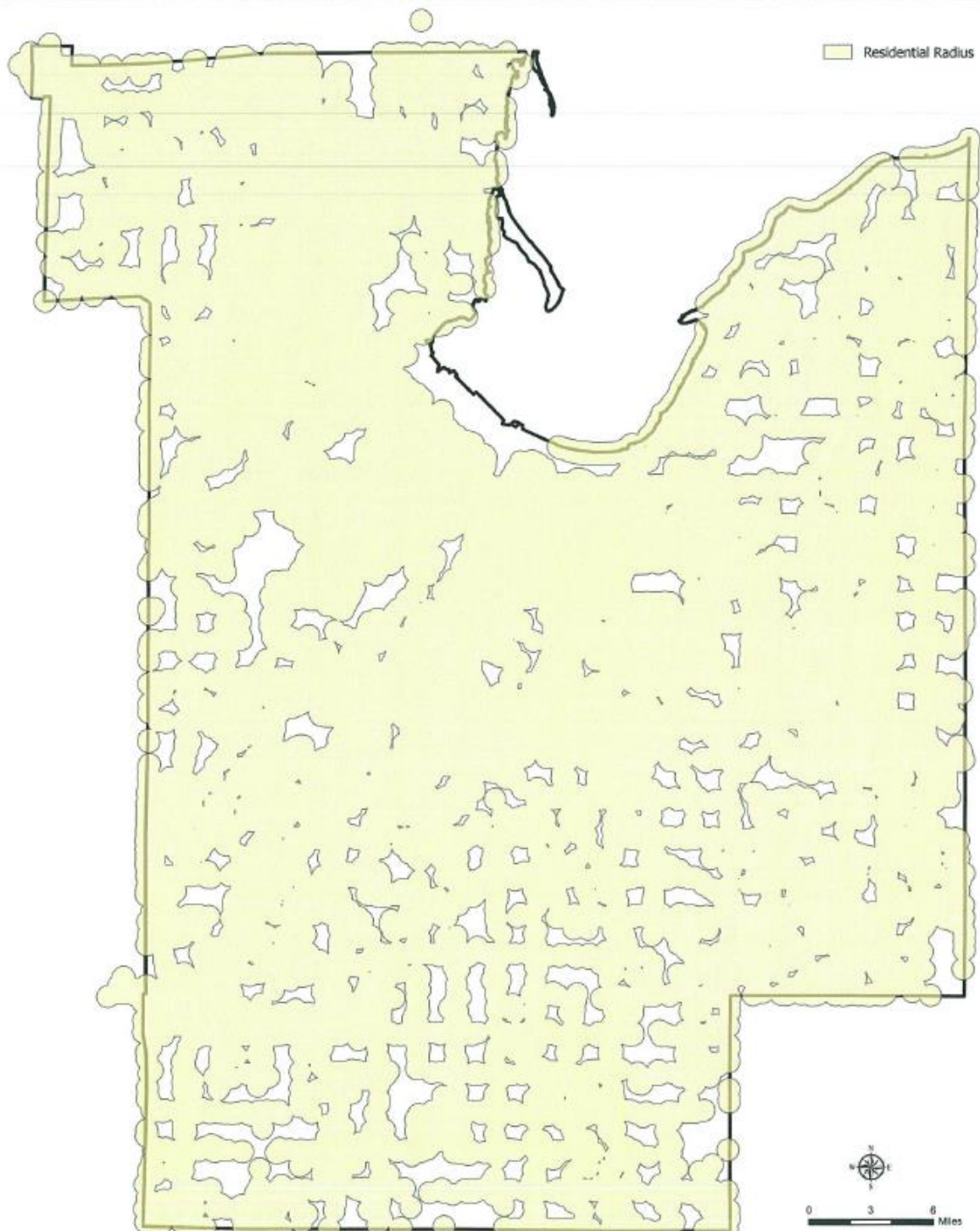


Half-Mile Radius from Homes in Brown County  
as of November 30, 2020

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1500' Radius from Homes in Brown County  
as of November 30, 2020



- (d) The Wisconsin department of transportation.
- (e) The commission.
- (f) The DNR.
- (g) The Wisconsin department of agriculture, trade and consumer protection.
- (h) The office of the deputy undersecretary of the U.S. department of defense.

(1m) **ADDITIONAL PRE-APPLICATION NOTICE TO COMMISSION.** At least 180 days before filing an application to construct a wind turbine with a maximum blade tip height exceeding 600 feet, or a wind energy system in those portions of Lake Michigan or Lake Superior that are within the jurisdiction of the state, the owner shall provide written notice of the planned wind energy system to the commission.

(2) **PRE-APPLICATION NOTICE REQUIREMENTS.** The owner shall include all of the following in a notice under sub. (1) or (1m):

- (a) A complete description of the wind energy system, including the number and size of the planned wind turbines.
- (b) A map showing the planned location of all wind energy system facilities.
- (c) Contact information for the owner.
- (d) A list of all potential permits or approvals the owner anticipates may be necessary for construction of the wind energy system.

(e) Whether the owner is requesting a joint application review process under s. PSC 128.30 (7) and the name of each political subdivision that may participate in the joint review process.

History: CR 10-057; cr. Register February 2011 No. 662, eff. 3-1-11.

**PSC 128.11 Real property provisions.** (1) **EASEMENT RECORDING REQUIRED.** A wind energy system easement or wind access easement shall be recorded under ch. 706, Stats. A wind energy system easement or wind access easement shall include the term of the easement and a full legal description of the property subject to the easement.

(2) **WIND LEASE AND WAIVER PROVISIONS.** A wind energy system lease and any waiver under s. PSC 128.14 (5) or 128.15 (4) shall hold harmless and indemnify the real property owner for all of the following:

- (a) Any violation of federal, state or local law by the owner of the wind energy system.
- (b) Any damages or bodily injury caused by the construction, operation or decommissioning of the wind energy system.

History: CR 10-057; cr. Register February 2011 No. 662, eff. 3-1-11.

**PSC 128.12 Existing property uses.** (1) **LAND USE AND COMMERCIAL ENTERPRISES.** An owner shall make reasonable efforts to ascertain and accommodate any land use or commercial enterprise located on a nonparticipating property within 0.5 mile of a proposed wind turbine site if the land use or commercial enterprise exists when the owner gives notice under s. PSC 128.105 (1), or if complete publicly-available plans for construction are on file with a political subdivision within 30 days of the date the owner gives notice under s. PSC 128.105 (1).

(2) **AGRICULTURAL USE.** An owner shall design a wind energy system to reasonably minimize the conversion of land from agricultural use.

History: CR 10-057; cr. Register February 2011 No. 662, eff. 3-1-11.

**PSC 128.13 Siting criteria.** (1) **SETBACK DISTANCE AND HEIGHT REQUIREMENTS.** (a) An owner shall design and construct a wind energy system using the wind turbine setback distances shown in Table 1.

Table 1

Setback Description	Setback Distance
Occupied Community Buildings	The lesser of 1,250 feet or 3.1 times the maximum blade tip height
Participating Residences	1.1 times the maximum blade tip height
Nonparticipating Residences	The lesser of 1,250 feet or 3.1 times the maximum blade tip height
Participating Property Lines	None
Nonparticipating Property Lines	1.1 times the maximum blade tip height
Public Road Right-of-Way	1.1 times the maximum blade tip height
Overhead Communication and Electric Transmission or Distribution Lines — Not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height
Overhead Utility Service Lines — Lines to individual houses or outbuildings	None

(b) An owner shall measure wind turbine setback distances as a straight line from the vertical centerline of the wind turbine tower to the nearest point on the permanent foundation of a building or residence or to the nearest point on the property line or feature, as applicable.

(c) An owner shall work with a political subdivision and owners of participating and nonparticipating properties to site wind turbines to minimize individual hardships.

(d) The owner of a nonparticipating residence or occupied community building may waive the applicable wind turbine setback distances in Table 1 for those structures to a minimum setback distance of 1.1 times the maximum blade tip height. The owner of a nonparticipating property may waive the applicable wind turbine setback distance in Table 1 from a nonparticipating property line.

(2) **POLITICAL SUBDIVISION CRITERIA.** (a) A political subdivision may not establish long-term land use planning requirements or practices that preclude the construction of a particular type, or any type, of wind turbine or wind energy system within the political subdivision's jurisdiction, except as provided in s. 66.0401 (4) (f) 2., Stats.

(b) A political subdivision may not set height or setback distance limitations for a wind turbine near a public use airport or heliport that are more restrictive than existing airport and airport approach protection provisions under ss. 114.135 and 114.136, Stats. If no provisions have been established for public use airports or heliports under s. 114.135 or 114.136, Stats., the political subdivision may adopt wind turbine height or setback distance provisions that are based on, but not more restrictive than, the federal aviation administration obstruction standards in 14 CFR Part 77.

(c) A political subdivision may set height or setback distance limitations for wind turbines near a private heliport at a medical facility used for air ambulance service that are based on, but not more restrictive than, federal aviation administration obstruction standards that apply to public use heliports.